

_____Published in the Wichita Eagle, **November 5, 2004**

ORDINANCE NO. 46-309

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF CONSTRUCTING **LATERAL 5, NORTHWEST INTERCEPTOR SEWER, TO SERVE FOX RIDGE ADDITION, North of 29th Street North, between Maize & Tyler (468-83643/480-685)**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: constructing **LATERAL 5, NORTHWEST INTERCEPTOR SEWER, TO SERVE FOX RIDGE ADDITION** and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$261,637.00** and that **\$242,275.86** be assessed against the improvement district and **\$19,361.14** be paid by the Sewer Utility Fund, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-03-291, rescinded by Resolution No. R-03-412, adopted June 10, 2003 & August 5, 2003 and published June 13, 2003 & August 8, 2003** be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
LOT 91	2,691.95
BLOCK 4	
FOX RIDGE ADD.	
LOT 92	2,691.95
BLOCK 4	
FOX RIDGE ADD.	
LOT 93	2,691.95
BLOCK 4	

FOX RIDGE ADD.	
LOT 94 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 95 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 96 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 99 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 100 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 101 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 102 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 103 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 104 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 105 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 106 BLOCK 4 FOX RIDGE ADD.	2,691.95

LOT 107 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 108 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 109 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 110 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 111 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 112 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 113 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 114 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 115 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 116 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 117 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 118	2,691.95

BLOCK 4 FOX RIDGE ADD.	
LOT 119 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 120 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 121 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 122 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 123 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 124 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 125 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 126 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 127 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 128 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 129 BLOCK 4 FOX RIDGE ADD.	2,691.95

LOT 130 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 131 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 132 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 133 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 134 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 135 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 136 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 137 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 138 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 139 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 140 BLOCK 4 FOX RIDGE ADD.	2,691.95

LOT 141 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 142 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 143 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 144 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 145 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 146 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 147 BLOCK 4 FOX RIDGE ADD.	2,691.95
LOT 1 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 2 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 3 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 4 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 5 BLOCK 5	2,691.95

FOX RIDGE ADD.	
LOT 6	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 7	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 8	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 9	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 10	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 11	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 12	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 13	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 14	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 15	2,691.95
BLOCK 5	
FOX RIDGE ADD.	
LOT 16	2,691.95
BLOCK 5	
FOX RIDGE ADD.	

LOT 17 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 18 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 19 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 20 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 21 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 22 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 23 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 24 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 25 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 26 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 27 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 28	2,691.95

BLOCK 5 FOX RIDGE ADD.	
LOT 29 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 30 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 31 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 32 BLOCK 5 FOX RIDGE ADD.	2,691.95
LOT 33 BLOCK 5 FOX RIDGE ADD.	2,692.31
LOT 97 & BEG NLY MOST COR LOT 98 TH SELY ALG NELY LI 87.63 FT TH NW 89.89 FT TO NWLY LI TH NELY 20FT TO BEG BLOCK 4 FOX RIDGE ADDITION	2,819.00
LOT 98 EXC BEG NLY MOST COR TH SELY ALG NELY LI 87.63 FT TH NW 89.89 FT TO NWLY LI TH NELY 20 FT TO BEG BLOCK 4 FOX RIDGE ADDITION	2,564.90

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section 1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **December 6, 2004**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred

against those property owners eligible for such deferral as provided in City of Wichita Ordinance No. 43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed fifteen (15) years, will be issued as provided by K.S.A. 12-6a14 (c), and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2004**.

SECTION 5. This ordinance shall take effect and be in force as of and on **November 5, 2004** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **November 2, 2004**.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law